

Auburn Downtown Revitalization Program
for the use of Community Development Block Grant-Economic Development
Downtown Revitalization Program funds
For City Council Action 8-22-11

GOALS & OBJECTIVES

The goal of this plan is to provide assistance to building owners in downtown Auburn to improve appearances, meet City code requirements and for preservation. The local objectives shall be met as follows:

- a) Provide financing assistance for the design and construction of new or renovated building facades.
- b) Provide financing assistance for building owners to meet City code requirements.
- c) Support the renovation and improvement of the exterior downtown buildings; including but not limited to; tuck pointing, new windows, etc.

The priorities of the plan shall be:

- a) Structural integrity of commercial building
- b) Renovation and Historic restoration of building exteriors
Special consideration to 'historical' buildings identified in Phase I Revitalization Plan
- c) Assistance to comply with City Code requirements

PURPOSE

The purpose of this plan is to establish policies, program application forms, application approval procedures and administrative support for the proper dispensation, in accordance with federal and state requirements, funded from the Community Development Block Grants, Downtown Revitalization Program in compliance with the Nebraska State Historic Preservation Office Design Guidelines.

PROGRAM INTENT

The City of Auburn (upon the approval of this plan or as it is amended from time to time) will consider applications for grants and loans that improve the conditions of the Auburn Business Districts (see Attachment A - Map) which has been declared a Blighted Redevelopment Area according to Nebraska Community Development Law. The funds invested in the district will be used to alleviate the existing blighted conditions (to meet the National Objective of the elimination of slum and blight). The program will apply only to commercial buildings in the designated program area.

ELIGIBLE ACTIVITIES AND AREA OF OPERATION

Applications for projects located in the designated district shall be eligible for consideration. Eligible activities, for which grant funds may be used, shall be limited to:

- a) Professional engineering and design services
- b) Construction, reconstruction or renovation of real property.

TYPES OF ASSISTANCE

The types of financial assistance available will be and in priority for committee consideration are;

- 1) 0% interest rate loan
- 2) 0% interest rate loan & grant combination
- 3) grant

The term of the loan may be a maximum of 10 years. If the project financing contains a loan, any of the following conditions may need to be met at the determination of the Auburn Downtown Revitalization Review Committee including: verification of insurance on the property (does not require City to be listed as loss payee), authorization for a credit report, and financial statement that has balance sheet and income statement.

A maximum amount allowable per project has not been established, as the City understands that costs projects may vary widely due to the needs of each project. The City will create a financing package for each successful application, following the review of all of the project applications. This method is intended to allow the City to create the biggest impact possible with these CDBG funds. A 25% match will be required from all property owners, regardless of financing package.

These projects will be funded on a reimbursement basis, with property owner incurring costs and then submitting total invoices for reimbursement for allowable costs per the financial assistance agreement.

Guidelines – page 1 of 3

APPLICATION PROCESS AND FORMS

All forms shall be provided, and by reference made a part of this plan, which are required to make application for the funds under this plan. No application shall be accepted that is determined to be incomplete or that is not signed by the applicant. An application shall not be considered complete if any of the required attachments are missing or incomplete. Incomplete applications will be returned to the applicant without further consideration with an explanation of the deficiencies. An application may be resubmitted, and considered as a new application, after addressing the deficiencies of the first application. All applications for funds shall be filed with the City Clerk of City of Auburn at City Hall. Due to the incompleteness, need for negotiation and other factors related to any application, applications filed later maybe recommended and approved. Applications will not be required to be given approval or rejection in the order in which they are filed. Applications are subject to design standards established by the Nebraska State Historic Preservation Office Design Guidelines.

Nothing herein shall be interpreted to require that approval shall be granted for a project, and the right to reject any and all applications considered not being in the best interests of the health and welfare of the City shall be reserved.

All applications will be submitted to the Revitalization Review Committee, which shall consist of the following membership: A five member board shall be appointed by the Mayor. Appointees shall serve at the pleasure of the City Council and may be reappointed to additional terms.

The Revitalization Review Committee shall be responsible for advising the CRA and City Council on all aspects of this program. The Revitalization Review Committee shall determine the frequency of its meetings, guided by the nature and extent of filed applications, and shall maintain such files and records as necessary to carry out its purpose.

The Revitalization Review Committee may meet with the applicant, request and accept additional information, request and accept recommendations, consider and make recommendations for changes to the original application, determine that the activities are eligible as required in this plan and by other federal and state requirements, and undertake other actions necessary and prudent to make its recommendation. If the Revitalization Review Committee finds that the application is complete, meets the requirements of this plan, with or without amendments acceptable to the applicant, then the Committee shall make its recommendation to the City Council for consideration. Final review and approval of the project will be with the Auburn City Council. Following the approval of a project by the City Council, the project will then be transferred to the CRA for administration.

If the Revitalization Review Committee finds that the application is not complete, does not meet the requirements of this plan or cannot favorably recommend the application as submitted, the Committee shall inform the applicant of the reasons the application is not being recommended for approval.

In the event there is more than one application for more funds than are currently available, the Revitalization Review Committee shall recommend the proposal or proposals that provide the greater benefit to diminishing the blighted conditions present in the district and meets the priorities established in the Auburn Downtown Revitalization Program based on the discretion of the committee.

In its review of pending applications, the Revitalization Review Committee shall act as expeditiously as feasible to make its recommendations to accept, reject, or to table applications due to deficiencies.

Persons appointed and serving on the Revitalization Review Committee shall serve without compensation, and shall be held harmless for any and all actions in carrying out their responsibilities and goodwill.

Auburn City Council approval shall be made by motion. The motion shall authorize the Mayor to enter into an agreement with applicant under the terms of the approved application. Such agreement shall include, at a minimum, the approximate start and completion dates of the project, terms and conditions and include remedies for non-performance, such as failure to comply with construction plans as approved by the committee.

Guidelines – page 2 of 3

COMPLIANCE WITH FEDERAL, STATE AND LOCAL REQUIREMENT

The applicant shall be required to sign a Certification of Assurances, a sample of which is attached as Attachment A, to comply with the requirements of this plan, and (as applicable) shall comply with:

- A. The Civil Rights Act of 1964 (PL 88-352) and Title VIII of the Civil Rights Act of 1968 (PL 90-284);
- B. Housing and Community Development Act of 1974, as amended;
- C. Age Discrimination Act of 1975;
- D. Section 504 of the Rehabilitation Act of 1973;
- E. Davis Bacon Act, as amended, where applicable under Section 110 of the Housing and Community Development Act of 1974, as amended;
- F. Fair Labor Standards Act of 1938, as amended.
- G. Preservation of Historical and Archaeological Data Act of 1974 (PL 93-291);
- H. National Historic Preservation Act of 1966, Section 106 (PL 89-665);
- I. National Environmental Policy Act of 1969;
- J. Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, Title II and Title III;
- K. Nebraska Community Development Law, Section 18-2101 to 18-2144, Revised Statutes of Nebraska, 1943.

The City and the Program Administrator shall comply with the following requirements (as applicable):

- a) U.S. Office of Management and Budget Circular A-87, "Cost Principles for State and Local Governments"
- b) U.S. Office of Management and Budget Circular A-102, "Uniform Administrative Requirements for Grants-in-Aid to States and Local Governments";
- c) Acquisition of Property for Publicly Financed Projects, Sections 76-1201 to 76-1213, Nebraska Statutes Revised, 1943, as amended;
- d) Community Development Law, Sections 18-2101 to 18-2144, Nebraska Statutes Revised, 1943, as amended;
- e) Public Meetings Law, Sections 18-1401 to 18-1407, Nebraska Statutes Revised, 1943, as amended;
- f) The Hatch Act of 1938, as amended.
- g) Certification of Confidentiality (Attachment B).

It is expressly understood that all applicable local, state, and federal laws, rules, regulations and any other requirements applicable to this Downtown Revitalization Funds plan and Revolving Loan Funds are hereby incorporated by reference and hereinafter apply to all applicable parties to the extent provided by law.

PROGRAM FUND AND REPAYMENTS

A fund to be known as the **Auburn DTR ReUse FUND** is created as part of this plan. Such fund shall be held separate from all other funds. The City of Auburn shall be responsible for administration and accounting of the Fund.

PLAN AMENDMENTS

The City Council may consider amendments to this plan at any time. Prior to making any changes to this plan, the Revitalization Review Committee shall consider any proposed changes and make a recommendation to the City Council for their consideration. All changes shall be adopted by motion of the City Council.

SOURCES AND USES OF ALL PROJECT FUNDS

Bids must itemize each feature of the project (awnings, windows, mason work on façade, etc.)

<i>DESCRIPTION</i>	<i>TOTAL COST</i>	<i>Loan</i>	<i>Grant</i>	<i>Owners Match</i>
ENGINEERING/DESIGN	\$ _____	\$ _____	\$ _____	\$ _____
CONSTRUCTION	\$ _____	\$ _____	\$ _____	\$ _____
SUPPLIES/MATERIAL	\$ _____	\$ _____	\$ _____	\$ _____
PROJECT TOTALS:	\$ _____	\$ _____	\$ _____	\$ _____

TOTAL AMOUNT REQUESTED: _____ Loan _____ Grant**BUILDING OWNER MATCH:** \$ _____ (Must be at least 25% of total project costs; If project includes reimbursing the owner for any work done by the owner (in-kind) – must provide 2 corroborating bids)**ACKNOWLEDGEMENTS and ATTACHMENTS:**

- 1) A. Copy of Deed – proving ownership and legal description of property
- 2) Signed & Dated Financial statement of Owners
 - i. Balance Sheet
 - ii. Income statement or tax return
- 3) Priorities of property owner (what features/parts of the project are priorities to you)
- 4) Project Plan including:
 - i. Project narrative
 - ii. Project drawings/ Catalog Cuts/Product Numbers (if applicable)
 - iii. Detailed cost estimates and bids itemizing each feature.(If using in-kind – must provide 2 corroborating bids)

The Applicant hereby certifies that all information in this application, and all information furnished in support of this application is given for the purpose of obtaining assistance under the Auburn Downtown Revitalization Program is true and complete to the best of the Applicant's knowledge and belief. Verification may be obtained from any source named herein. Provided that any and all information related to the financial status of the business shall be held confidential and not subject to review by the public.

Signature of the Applicant: _____

Date signed: ____/____/____ Title: _____

REVITALIZATION REVIEW COMMITTEE: ____/____/____RECOMMENDATIONS TO CRA: REVIEW COMMITTEE: ____ APPROVAL ____ DISAPPROVAL (REASONS):

_____**CITY COUNCIL: DATE:** ____/____/________ APPROVAL ____ DISAPPROVAL
(REASONS): _____

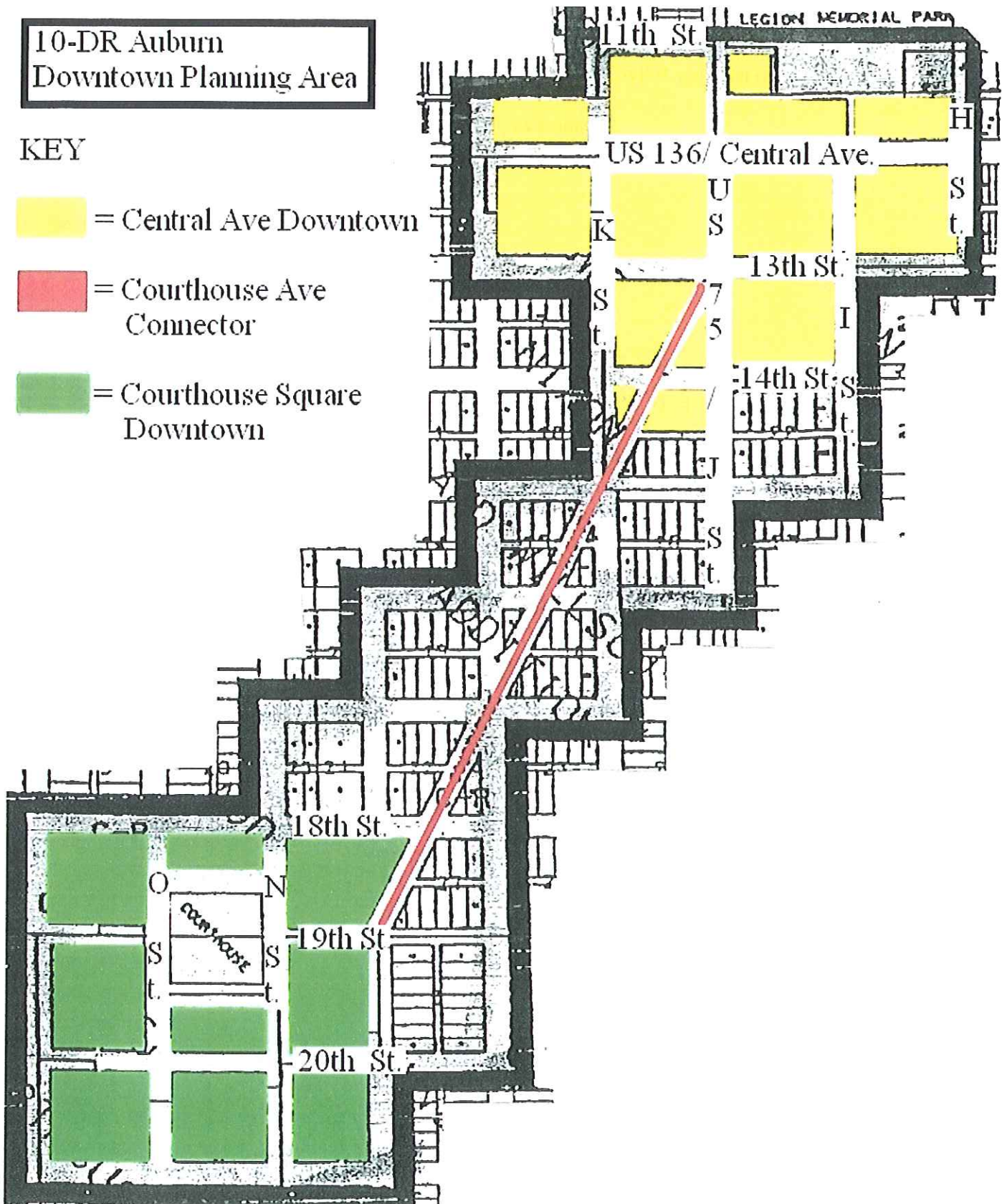
ATTACHMENT A
PROJECT AREA MAP

Indicate your project site on this map.

10-DR Auburn
Downtown Planning Area

KEY

- = Central Ave Downtown
- = Courthouse Ave Connector
- = Courthouse Square Downtown



ATTACHMENT B
CERTIFICATION OF ASSURANCES

To the best of my knowledge and belief, as a condition of obtaining assistance through the Economic Development Revolving Loan Fund, the applicant will, if assistance is approved, comply with all Federal and State requirements, including the following:

- A. The Civil Rights Act of 1964 (PL 88-352) and Title VIII of the Civil Rights Act of 1968 (PL 90-284);
- B. Housing and Community Development Act of 1974, as amended;
- C. Age Discrimination Act of 1975;
- D. Section 504 of the Rehabilitation Act of 1973;
- E. Davis Bacon Act, as amended (40 U.S.C. 276a-276a-5), where applicable under Section 110 of the Housing and Community Development Act of 1974, as amended;
- F. Fair Labor Standards Act of 1938, as amended, (29 U.S.C., 102 et. seq);
- F. Preservation of Historical and Archaeological Data Act of 1974 (PL 93-291);
- G. National Historic Preservation Act of 1966, Section 106 (PL 89-665);
- H. National Environmental Policy Act of 1969;
- I. Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1979, Title II and Title III;
- J. Nebraska Community Development Law, Section 18-2101 to 18-2144, Revised Statutes of Nebraska, 1943.

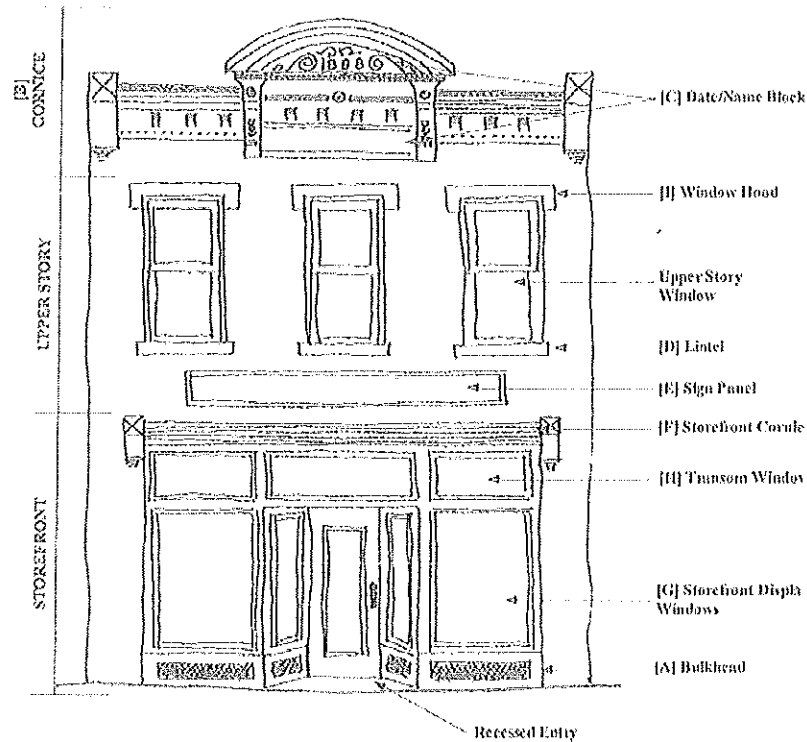
Signed Name Printed Name & Title

Date Signed: ____/____/____

Address: _____, _____
Street City State Zip

ATTACHMENT C - HISTORIC COMMERCIAL BUILDING DESIGN FEATURES

Main Street Commercial Building Features & Definitions



[A] Bulkhead: Located between the sidewalk and storefront window, the bulkhead raises the display area for better viewing and provides a base that can withstand pedestrian traffic for the storefront windows. Bulkheads were often constructed of wood. Because bulkheads are very vulnerable to weather and damage, many have been replaced with more durable materials like tile, stone and brick.

[B] Cornice: The cornice tops the main façade of a building. This feature is typically made of decoratively formed metal or patterns of brick, sometimes terra cotta or stone in larger commercial buildings in urban areas.

[C] Date/Name Block: The date block and sometimes a name block can be found within the design of the cornice or below the cornice on the upper part of the façade. It contains the date that the building was built and/or the name of the original building owner(s).

Facade: The main, or front, exterior face(s) of a building.

[D] Lintel: Horizontal piece located at the bottom of a window, door, or other opening.

Rehabilitation: Improving a property through repair or alteration which makes possible for a contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.

Restoration: Accurately bringing a property back to its original condition and use by using original materials and fixtures.

[E] Sign Panel: Located above the storefront, this area or space for signage was traditionally defined with a brick frame.

[F] Storefront Cornice: Not as elaborate as the cornice that tops the building, a storefront cornice is simple and is used to cap the top of the storefront opening. It also serves as a structural element that carries the weight of the upper façade wall.

[G] Storefront Display Windows: Originally used to bring natural light into the building, storefront windows provide an excellent opportunity for product and merchandise displays.

[H] Transom Windows: The window area directly above storefront display windows. Transom windows filter light back into narrow traditional commercial buildings, illuminating the interior.

[I] Window Hood: A decorative piece located at the top of a window, door, or other opening.

ATTACHMENT C

Any willful misrepresentation on this statement could result in a fine and/or imprisonment under provisions of the U.S. criminal code.

Submitted to: _____

Statement Date: _____

The request for credit will be in the name of the persons named below who shall use their income and/or assets for the repayment of the loan. Those named below will be jointly and severally contractually liable for the repayment of the loan.

Individual Information - Borrower		Individual Information - Co-Borrower	
Name		Name	
Address		Address	
City, State & Zip		City, State & Zip	
Position or occupation		Position or occupation	
Res. Phone	Bus. Phone	Res. Phone	Bus. Phone
Social Security No.		Social Security No.	

ASSETS**LIABILITIES**

CURRENT ASSETS (Readily Convertible to Cash)		CURRENT LIABILITIES (Due within 12 months)	
A Cash & Savings	\$	G Notes Payable to Bank	\$
B Investments (Marketable)		G Notes Payable to Others	
Certificates of Deposit		Accounts Payable	
C Receivables (Due within 1 year)		Taxes and Interest Payable	
D Cash Value - Life Insurance		G Principal Payments - Term Debt	
Other Current Assets		Other Current Liabilities	
TOTAL - Current Assets	\$	TOTAL - Current Liabilities	\$
NON CURRENT ASSETS		NON CURRENT LIABILITIES (Term Debt)	
E Real Estate Owned	\$	G Intermediate Term Liabilities	\$
Mortgages and Contracts Receivable		G Long Term Liabilities	
F Investments (Non-Marketable)		Other Liabilities	
C Receivables (Long Term)		Contingent Capital Gains Tax Liability	
Retirement Funds		TOTAL LIABILITIES	
Personal Property		NET WORTH	
Vehicles		TOTAL LIABILITIES & NET WORTH	\$
Other Assets			
TOTAL ASSETS	\$		
ANNUAL INCOME		ESTIMATE OF ANNUAL EXPENDITURES	
Salary	\$	Income Taxes	\$
Bonus & Commissions		Other Taxes	
Dividends & Interest		Insurance Premiums	
Rental and Lease Income (Net)		Term Loan Payments (Principal & Interest))	
Co-Borrower's Income if Employed		Interest Expense (Short Term Debt)	
Other Income (Income from alimony or child support		Living Expenses	
need not be revealed if you do not choose to rely on		Other Expenditures	
it as a basis for repaying this obligation.)		Other Expenditures	
TOTAL	\$	TOTAL	\$

	Yes	No
In the last 7 years, have you had any unsatisfied judgments? In the last 10 years, have you been declared bankrupt?.....	<input type="checkbox"/>	<input type="checkbox"/>
In the last 7 years, have you had property foreclosed upon or given title or deed in lieu thereof?	<input type="checkbox"/>	<input type="checkbox"/>
Are you a co-maker, grantor or endorser on a note? If yes, denote amount below:	<input type="checkbox"/>	<input type="checkbox"/>
Contingent Liabilities: Endorser or Guarantor \$ _____ Other: _____ \$ _____		
Are you a party in a lawsuit?	<input type="checkbox"/>	<input type="checkbox"/>
Are you obligated to pay alimony, child support, or separate maintenance?	<input type="checkbox"/>	<input type="checkbox"/>

This statement represents the true, complete and accurate statement of my/our financial condition. I/we agree that if any change occurs that materially reduces the means or ability to pay any claims or demands I/we will immediately notify the bank in writing; and unless the bank is so notified, it may continue to rely upon the statement herein as a true, complete and accurate statement.

I/we understand that you have a current need to review my/our creditworthiness as an individual and/or business. By signing below, I/we authorize you to check my/our credit account and employment history and/or have a credit reporting agency prepare a credit report on me/us. You also acknowledge that we will verify your creditworthiness.

Dated _____ Signed _____

Witness _____ Signed _____

PERSONAL FINANCIAL STATEMENT

ACCOUNT DESCRIPTION	INSTITUTION NAME	IN THE NAME(S) OF	AMOUNT
TOTAL			

NAME OF ISSUER	TYPE OF INVESTMENT	UNITS OWNED	PRICE PER UNIT	CURRENT VALUE
			TOTAL	

NAME OF PAYOR	PURPOSE	ORIGINAL AMOUNT	AMOUNT OWED	WHEN DUE	ACCRUED INTEREST
TOTAL				TOTAL	

AMOUNT	NAME OF POLICY - POLICY NO.	BENEFICIARY	CASH VALUE	POL. LOANS	DATE OF POLICY
		TOTAL			

DESCRIPTION & LOCATION OF PROPERTY	TITLE HELD IN NAME OF	DATE OF PURCHASE	PURCHASE COST	COST OF IMPROVEMENTS ADDED	ESTIMATED CURRENT MARKET VALUE
TOTAL					

NAME OF ISSUER	TYPE OF INVESTMENT	% OWNERSHIP	ORIGINAL COST	CURRENT VALUE
TOTAL				

TO WHOM	PURPOSE and/or SECURITY	FINAL DUE DATE	INTEREST RATE	PAYMENT DATES	OUTSTANDING ACCRUED INTEREST	CURRENT PRINCIPAL BALANCE	PORTION OF PRINCIPAL	
							DUE WITHIN 12 MONTHS	DUE BEYOND 12 MONTHS
TOTAL								